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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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02/27/2004

Mayumi Takeda

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07/26/2006

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EXAMINER

MAHMOOD, REZWANUL

ART UNIT

PAPER NUMBER

2164

DATE MAILED: 07/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/788,769	<b>Applicant(s)</b> TAKEDA, MAYUMI	
	<b>Examiner</b> Rezwanul Mahmood	<b>Art Unit</b> 2164	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.



**SAM RIMELL**  
**PRIMARY EXAMINER**

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 1, 7, and 10 objected to because of the following informalities:
2. In claim 1 line 6, "steps of;" should be "steps of:".
3. In claim 7 line 6, "comprising of;" should be "comprising of:".
4. In claim 7 line 15, "a obtaining" should be "an obtaining".
5. In claim 10 line 2, "comprising of" should be "comprising of:".
6. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
8. Claims 1-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
9. In claim 1 line 10, the phrase "extract a directory structure having the first name" is indefinite because previously in line 5 the applicant states "a directory having the first name". In claim 1 lines 15-16, the phrase "obtaining the prescribed directory contained in the extracted directory" is indefinite because previously in like 1-2 the applicant states "a prescribed directory contained in a directory structure".

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10. Claim 7 is indefinite for the same reasons stated above in claim 1.
11. In claim 3 lines 1-3, the phrase "the second name of directory is present on the same hierarchy level as the first name of directory" is indefinite.
12. Claim 9 is indefinite for the same reason stated above in claim 3.
13. Since claims 2-6, 15, 17 depend on claim 1 and claims 7-14, 18 depend on claim 7, they are also indefinite.

***Claim Rejections - 35 USC § 102***

14. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

15. Claims 1-18 are rejected under 35 U.S.C. 102(b) as being anticipated by "More DOS for Dummies" by Dan Gookin (Copyright 1994).
16. With respect to claim 1, Gookin discloses a directory searching method of searching a prescribed directory contained in a directory structure which is stored in a hierarchical structure including plural directory structures in a storage medium and includes at least two directories of a directory having a first name and a directory having a second name (Gookin: Pages 235-237; Here the author describes the DOS operating system environment and instructions to use the system. The command "CD" is described for searching directory in a directory structure in a computer storage medium.

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At least two directories are described in Figure 2 in Page 236 having a first name and a second name); comprising steps of:

inputting the first name and the second name with a inputting device (Gookin: Figure 2 in Page 236 describes inputting a DOS command at the command prompt with the first and second directory name. To input a command, inherently there must be an inputting device),

searching the plural directory structures based on the first name so as to extract a directory structure having the first name (Gookin: Figure 2 in Page 236 searching plural directory structures. Here the directory structure is first searched based on the first directory name),

searching the extracted directory structure based on the second name so as to extract a directory having the second name (Gookin: Figure 2 in Page 236 searching plural directory structures. Here after searching the first directory structure the second directory is searched based on the second directory name), and

obtaining the prescribed directory contained in the extracted directory (Gookin: Figure 2 in Page 236; Here after the command is executed, the user will obtain the prescribed directory).

17. With respect to claim 2, Gookin discloses the directory searching method of claim 1, wherein the second name of directory is present on below the first name of directory (Gookin: Figure 2 in Page 236; Here the second directory is a subdirectory of the first, so it is below the first directory in the directory structure).

18. With respect to claim 3, Gookin discloses the directory searching method of claim 1, wherein the second name of directory is present on the same hierarchy level as the first name of directory (Gookin: Figure 2 in Page 236; Here both the directories are in the same directory "GAMES").

19. With respect to claim 4, Gookin discloses the directory searching method of claim 1, further comprising step of:

displaying at least a part of the extracted directory structure (Gookin: In DOS the current directory structure can be displayed using the "DIR" command. Other commands can also be used).

20. With respect to claim 5, Gookin discloses the directory searching method of claim 1, further comprising step of:

selecting a prescribe directory contained in part of the extracted directory structure (Gookin: In DOS after reviewing the extracted directory structure, the prescribed directory can be selected by using the proper directory access command).

21. With respect to claim 6, Gookin discloses the directory searching method of claim 1, wherein a directory having a set data contains at least one of image data, sound data and sound image data (Gookin: Page 235-237; Here in the examples the directory contains data about games. It can inherently contain any other data types like image,

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sound, or sound image).

22. With respect to claim 7, Gookin discloses a directory searching apparatus of searching a prescribed directory contained in a directory structure which is stored in a hierarchical structure including plural directory structures in a storage medium and includes at least two directories of a directory having a first name and a directory having a second name (Gookin: Pages 235-237; Here the author describes the DOS operating system environment and instructions to use the system. The command "CD" is described for searching directory in a directory structure in a computer storage medium. At least two directories are described in Figure 2 in Page 236 having a first name and a second name); comprising of:

an inputting device to input the first name and the second name with a inputting device (Gookin: Figure 2 in Page 236 describes inputting a DOS command at the command prompt with the first and second directory name. To input a command, inherently there must be an inputting device),

a searching device of searching the plural directory structures based on the first name so as to extract a directory structure having the first name (Gookin: Figure 2 in Page 236 searching plural directory structures. Here the directory structure is first searched based on the first directory name),

a searching device of searching the extracted directory structure based on the second name so as to extract a directory having the second name (Gookin: Figure 2 in Page 236 searching plural directory structures. Here after searching the first directory

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structure the second directory is searched based on the second directory name), and an obtaining device to obtain the prescribed directory contained in the extracted directory (Gookin: Figure 2 in Page 236; Here after the command is executed, the user will obtain the prescribed directory).

23. With respect to claim 8, Gookin discloses the directory searching apparatus of claim 7, wherein the second name of directory is present on below the first name of directory (Gookin: Figure 2 in Page 236; Here the second directory is a subdirectory of the first, so it is below the first directory in the directory structure).

24. With respect to claim 9, Gookin discloses the directory searching apparatus of claim 7, wherein the second name of directory is present on the same hierarchy level as the first name of directory (Gookin: Figure 2 in Page 236; Here both the directories are in the same directory "GAMES").

25. With respect to claim 10, Gookin discloses the directory searching apparatus of claim 7, further comprising of:

a range specification device to specify a search range (Gookin: In DOS the command typed to access a particular directory already specifies the search range. Inherently a range specification device is functional).

26. With respect to claim 11, Gookin discloses the directory searching device



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apparatus of claim 10, wherein the search range is the top and bottom level in the directory structure (Gookin: In DOS the directory path goes from the root to the desired sub-directory, so the search range is the top and bottom level in the directory structure).

27. With respect to claim 12, Gookin discloses the directory searching apparatus of claim 7, further comprising of:

a displaying device display at least a part of the extracted directory structure (Gookin: In DOS the current directory structure can be displayed using the "DIR" command. Other commands can also be used. To display, inherently a displaying device must be present).

28. With respect to claim 13, Gookin discloses the directory searching apparatus of claim 7, further comprising of:

a selecting device select a prescribe directory contained in part of the extracted directory structure (Gookin: In DOS after reviewing the extracted directory structure, the prescribed directory can be selected by using the proper directory access command. Inherently for such selection to be made, a selection device must be present).

29. With respect to claim 14, Gookin discloses the directory searching apparatus of claim 7, wherein the directory having a set data contain at least one of image data, sound data and sound image data (Gookin: Page 235-237; Here in the examples the directory contains data about games. It can inherently contain any other data types like

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image, sound, or sound image).

30. With respect to claim 15, Gookin discloses a directory searching program comprising step of controlling a computer to function as a directory searching method of claim 1 (Gookin: The DOS operating system operates on a computer, which along with the operating system functions as a directory searching method).

31. With respect to claim 16, Gookin discloses a directory searching program comprising a controlling section to control a computer to function as a directory searching apparatus of claim 7 (Gookin: The DOS operating system operates on a computer, which along with the operating system functions as a directory searching apparatus).

32. With respect to claim 17, Gookin discloses a storage medium comprising data corresponding to the directory searching program of claim 15 (Gookin: The DOS operating system resides in a computer which inherently has a storage medium to contain the operating system and other directories and data).

33. With respect to claim 18, Gookin discloses a storage medium comprising data corresponding to the directory searching program of claim 16 (Gookin: The DOS operating system resides in a computer which inherently has a storage medium to contain the operating system and other directories and data).

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rezwanul Mahmood whose telephone number is (571)272-5625. The examiner can normally be reached on m-f.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571)272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
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